

Application No.: 10/584,426
Filing Date: May 23, 2007

REMARKS

In response to the Office Action mailed May 29, 2008, the Applicant respectfully requests the Examiner to reconsider the above-captioned application in view of the foregoing amendments and the following remarks.

Summary of the Office Action

In the May 29, 2008 Office Action, Claims 1-10 stand rejected. Claims 1-10 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,733,124 issued to Kwan (hereinafter “Kwan”). In addition, the Examiner notes that the abstract of the disclosure does not commence on a separate sheet in accordance with 37 C.F.R. § 1.52(b)(4).

Summary of the Amendment

Upon entry of this amendment, Applicant will have amended Claims 1-2 and 4-7 and added new Claims 11-13. Accordingly, Claims 1-13 are currently pending in the present application. By this amendment, the Applicant responds to the Examiner’s comments and rejections made in the May 29, 2008 Office Action. Applicant respectfully submits that the present application is in condition for allowance.

In re Rejection under 35 U.S.C. § 102(b)

In the Office Action, Claims 1-10 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Kwan. While Applicant reserves the right to prosecute these claims as originally filed, Applicant has amended Claims 1 and 2 in order to expedite prosecution of this Application. Accordingly, Applicant respectfully requests that the rejection of Claims 1 and 2, as well as Claims 3-10 be withdrawn and that these claims be indicated as allowable over the art of record.

Kwan is related to a dental implant assembly containing an integral dental implant, which is said to have an abutment integrally joined to an implant fixture. *See* Kwan, Abstract. The abutment contains a top section, a bottom section integrally joined to the top section, and an orifice extending through a portion of the top section. *See id.* The top section has a cross sectional shape substantially like a polygon which is formed by alternating linear and arcuate walls. *See id.*

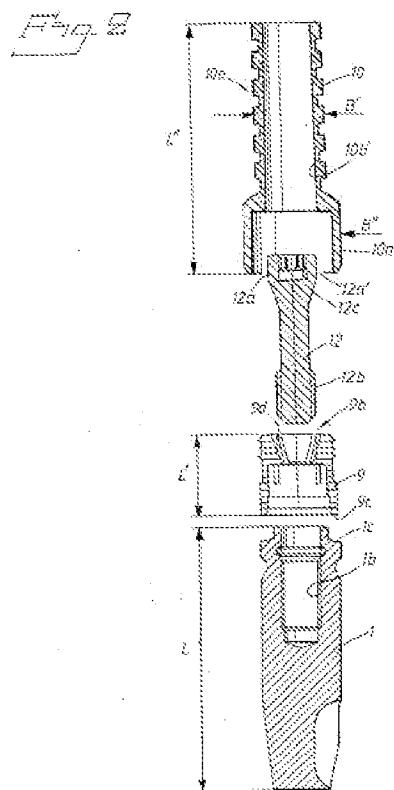
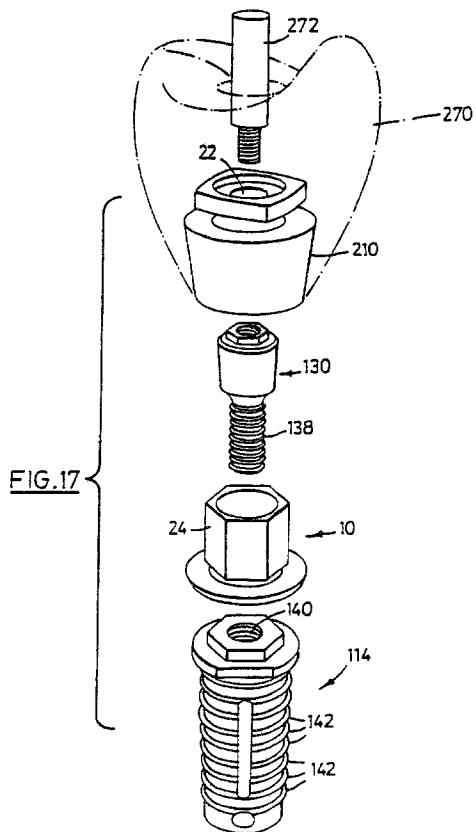
Figure 17 of the Kwan reference is shown at top right and illustrates an exploded view of the Kwan implant assembly. With reference to Figure 17, the Kwan implant assembly includes a gold coping 210 that is used to interconnect the tooth 272 the abutment 10. *See id.* at col. 10. As illustrated, the coping 210 is much wider than the abutment 10.

In contrast, Claim 1 recites, *inter alia*, a method for orienting a bridge in position relative to a dental implant with the aid of a spacer member comprising the step of “coupling a second sleeve-shaped part included in the spacer member to a fastening member in the bridge, the second sleeve-shaped part having a width that is less than a width of the first sleeve-shaped part.”

Additionally, Claim 2 also recites, *inter alia*, an arrangement for orienting a bridge in position relative to a dental implant which comprises a spacer member having first and second sleeve-shaped parts configured with a “portion of the second sleeve-shaped part having a width that is less than a width of the first sleeve-shaped part.”

Figure 2 of the Applicant’s Application, shown at bottom right, illustrates an embodiment configured with the “second sleeve-shaped part having a width that is less than a width of the first sleeve-shaped part.”

Additionally, Applicant's Application also discusses some of the advantages of an embodiment utilizing such an inventive configuration: "The second part 10b of the second sleeve-shaped part 10 has or can have a relatively small cross section, which means that the bridge structure 3 in question can be made very narrow. This



Application No.: 10/584,426
Filing Date: May 23, 2007

means that fastening members 11 in the bridge 3 can be made with a relatively small dimension or width B. The bridge can thus be made relatively narrow in the transverse direction on a jaw bone/soft tissue.” *See* Applicant’s Application Publication, ¶ 13; *see also id.* at ¶ 15.

Moreover, Kwan does not seem to discuss the issue of positioning and orienting a bridge in a position relative to a dental implant. As regards bridges, it is essential that they can be temporarily removed and reinserted with a small impact to the initiated healing process. The cooperating principle between the first sleeve and the second sleeve as disclosed in Figure 1 of the Applicant’s Application makes it clear that the flexible securing ability of an embodiment of the disclosed arrangement is significantly different to that of Kwan. It is also evident from the chart in Figure 18 of Kwan that Kwan uses a completely different type of process.

However, the present Application seeks to address the above issues and yet allow an individual to be able to use a narrow bridge that results in a sleek, natural appearance and unaffected speech. For example, prior art bridges were too large and bulky, occupying space in the oral cavity needed for the tongue, thus causing difficulties to speak, etc. As noted above, embodiments of the method and apparatus of the present Application allow for orienting of a bridge relative to a dental implant without adding to the amount of bridge material. At the same time, engagement between the implant and bone will not be significantly disturbed when manipulating the sleeve parts of the present invention.

Furthermore, Applicant respectfully submits that Kwan provides no disclosure were teaching related to the above-noted issues. Instead, Kwan teaches the use of healing balls 160 for arranging a denture. The bridge illustrated in Figured 13 of Kwan is anchored with means having a larger top than bottom, which is completely contrary to the purpose and functionality of the method and apparatus resided in Claims 1 and 2.

Accordingly, Applicant respectfully requests that the Examiner withdraw his rejection of Claims 1-10 under Section 102(b) and indicate that these claims are allowable over the art of record.

New Claims 11-13

Applicant hereby submits new Claims 11-13 for consideration. These claims are believed to be allowable at least based on their own merit, as well as for the reason that these claims

Application No.: 10/584,426
Filing Date: May 23, 2007

depend from an allowable independent baseline. Accordingly, Applicants respectfully requests that new Claims 11-13 be allowed.

No Disclaimers or Disavowals

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, the Applicant is not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. The Applicant reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that the Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.

CONCLUSION

Applicant respectfully submits that the above rejections and objections have been overcome and that the present application is now in condition for allowance. Therefore, the Applicant respectfully requests that the Examiner indicate that Claims 1-13 are now acceptable and allowed. Accordingly, early issuance of a Notice of Allowance is most earnestly solicited.

Applicant respectfully submits that the claims are in condition for allowance in view of the above remarks. Any remarks in support of patentability of one claim, however, should not be imputed to any other claim, even if similar terminology is used. Additionally, any remarks referring to only a portion of a claim should not be understood to base patentability on that portion; rather, patentability must rest on each claim taken as a whole. Applicant respectfully traverses each of the Examiner's rejections and each of the Examiner's assertions regarding what the prior art shows or teaches, even if not expressly discussed herein. Although amendments have been made, no acquiescence or estoppel is or should be implied thereby. Rather, the amendments are made only to expedite prosecution of the present application, and without

Application No.: 10/584,426
Filing Date: May 23, 2007

prejudice to presentation or assertion, in the future, of claims on the subject matter affected thereby.

The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claim and drawings in condition for immediate allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call the Applicant's attorney in order to resolve such issue promptly.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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